

PORTLAND HARBOR

SUPERFUND SITE

PUBLIC COMMENT: ONE ON ONE

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1 **MS. ROBINSON:** On behalf of the United
2 States Environmental Protection Agency, I would
3 like to thank you for taking time from your busy
4 schedule to come here today. This is the
5 official public comment portion of the meeting.

6 I'm Debbie Robinson, and I work for the
7 EPA, and I'm serving as your hearing officer.
8 It's my responsibility to ensure that the
9 hearing is run properly and that those who have
10 signed up to provide two minutes of oral
11 comments have the opportunity to do so.

12 This proceeding is to receive public
13 comment on US EPA's proposed cleanup plan for
14 Portland Harbor Superfund Site. EPA will not be
15 speaking or responding to questions of any kind
16 about the proposed plan during this hearing. So
17 you have the opportunity to ask questions in the
18 other room during the question and answer period
19 or on the side.

20 This hearing is being held on Wednesday,
21 July 20th, at the Ambridge Center in Portland,
22 Oregon. Public notice of this hearing was
23 published in the Oregonian Newspaper on
24 Wednesday, June 8, 2016. The public comment
25 period began on June 9, 2016, and runs through

1 midnight, September 6, 2016.

2 So, before we take your comment, I'm
3 going to describe the process and procedures to
4 be followed today so that you know how your
5 comments will be handled. You've given your
6 completed speaker registration form to Jason,
7 who is our usher, and if you have your cell
8 phone, please turn it off. And, when I let you
9 know it's time, you can raise your hand to begin
10 the timer and begin your comments.

11 So this is our court reporter and her
12 name is Heather Guevarra, and she is recording
13 the proceedings for this hearing. It's
14 important that you speak clearly and slowly so
15 we can capture your comments for the official
16 record.

17 You'll have two minutes to provide your
18 comment, and to help you keep to the two
19 minutes, we have this visual timer that will run
20 while your comments are made, and everyone is
21 held to the same time limit.

22 So what we'll do before the timer starts
23 is have you say your name and spell it for the
24 record, and then we can get started with your
25 comments.

1 **MS. (b) (6) (b) (6)** ,
2 **(b) (6)** . I have a process question. I have
3 notes on my phone actually. Would it be
4 possible to look at those?

5 **MS. ROBINSON:** It's fine to do that,
6 just make sure it doesn't ring in the middle of
7 your two minutes. That's what we really mean.

8 So, when you're ready to start your two
9 minutes, just raise your hand and I'll click it
10 started.

11 **MS. (b) (6) :** Under the Comprehensive
12 Environmental Response Compensation and
13 Liability Act, the Oregon Cleanup Law, ORS
14 465.200 to 545, and the Yakama tribal fishing
15 rights which are protected by treaty as well as
16 by the 6th Article of the US Constitution,
17 regulatory bodies, including the Environmental
18 Protection Agency and the Department of
19 Environmental Quality, are required to take
20 steps to clean up sites that are contaminated
21 with hazardous pollutants.

22 In this case, an 11-mile stretch of the
23 Willamette River which empties into a river, the
24 Columbia River, with the sixth largest drainage
25 basin in the country. After over 100 years of

1 industry and commerce by more than 150 different
2 corporate and governmental entities, there are
3 now unsafe levels of more than 40 contaminants
4 in this stretch of river including
5 cancer-causing heavy metals, PCBs, and dioxins.

6 After a year of bad news for public
7 health regarding air pollution, lead in city
8 water, and an oil car derailment in Mosier,
9 Oregon, as a resident of Portland, I strongly
10 urge that the EPA reconsider pursuing an
11 alternative plan, one of the other eight
12 proposed plans that goes beyond addressing eight
13 percent of the affected area of the Superfund
14 site essentially leaving most of the work to
15 Mother Nature, and to rather revisit some of the
16 other ideas which have been developed over the
17 last 16 years of this process. As well as to
18 listen carefully to the community so that
19 hopefully we can come up with a better plan to
20 keep the community safe.

21 **MS. ROBINSON:** On behalf of the United
22 States Environmental Protection Agency, I would
23 like to thank you for taking time out of your
24 busy schedule to come here today. This is the
25 official comment portion of the meeting. My

1 name is Debbie Robinson. I work for the EPA,
2 and I'm serving as the hearing officer for this
3 hearing. It's my responsibility to ensure that
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6 comments have the opportunity to do so.

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8 comment on the United States Environmental
9 Protection Agency's proposed cleanup plan for
10 the Portland Harbor Superfund Site. EPA will
11 not be speaking or responding to questions of
12 any kind about the proposed cleanup plan during
13 this hearing.

14 This hearing is being held on July 20th,
15 at the Ambridge Center in Portland, Oregon.
16 Public notice of this hearing was published in
17 the Oregonian Newspaper on Wednesday, June 8,
18 2016. The public comment period began on June
19 9, 2016, and runs through midnight, September 6,
20 2016.

21 So, before we take your comment, I'm
22 going to describe the process and procedures to
23 be followed so you know how your comments will
24 be handled. So, please, make sure your phone
25 isn't on ring.

1 What's going to happen -- so this is our
2 court reporter. Her name is Heather Guevarra.
3 Her role is to record the proceedings for the
4 hearing to put into the official record. It's
5 important to make sure that you speak clearly
6 and slowly so that we can capture your comments
7 for the record.

8 You'll have two minutes to provide this
9 oral comment and, to help you keep to the two
10 minutes, we have this visual timer and it will
11 run while your comments are being made and it
12 will let us know when the two minutes is over.
13 Everyone is held to the same time limit.

14 I'll just say if it turns out that your
15 comments extend further, you still have the
16 opportunity to provide them in writing, and we
17 have the mechanism for that here today if you
18 wish.

19 Before you start your comment, we'll ask
20 that you say your name and spell it so that
21 Heather can put it in the record.

22 **MS. (b) (6) :** My name is (b) (6)

24 **MS. ROBINSON:** So we're ready to hear
25 your two-minute comment, and let me make sure

1 this is ready to go.

2 So raise your hand when you're ready,
3 and I'll start the timer.

4 **MS. (b) (6)** I'm appalled that the EPA
5 proposes to clean, question mark, only 14
6 percent of the lower Willamette leaving 86
7 percent untouched. Furthermore, the plan for
8 that 14 percent is to place the dredge spoils
9 along the river under cover. This makes no
10 sense when as late as 1996 we have had severe
11 flooding all along the river and in an area
12 prone to the Earth becoming quicksand during an
13 earthquake. I haven't found a plan for keeping
14 toxics from flowing from the banks into the
15 river as further pollutants. Apparently that's
16 the DEQ's job, which is too bad for us.

17 I haven't seen the plan for just how the
18 dredging will take place. Will it further
19 pollute the river's surface and the air we're
20 expected to breathe? I don't understand the
21 logic of natural remediation when most of the
22 toxics have been in place at least since World
23 War II. That is, by my calculations, nearly
24 three-quarters of a century, only slightly older
25 than I am. One would think that if the PCBs and

1 dioxins were amenable to resolve by leaving them
2 alone, they would already be of no consequence.

3 Costs, the only way that talking about
4 the cost of cleaning this up is having the
5 courage to talk about this, to have the courage
6 to force the industrial interests in the past
7 and especially the present to pay. Kinder
8 Morgan, for instance, has pretty deep pockets,
9 and they can and will afford to pay if they want
10 to continue to use our river. They have been
11 observed polluting the Willamette during the
12 normal operations that contribute to their
13 profits.

14 The Pentagon gets the lion's share of
15 our taxes --

16 **MS. ROBINSON:** On behalf of the United
17 States Environmental Protection Agency, I would
18 like to thank you for taking time out of your
19 busy schedules and coming here today. This is
20 the official public comment portion of the
21 meeting.

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4 Environmental Protections Agency's proposed
5 cleanup plan for the Portland Harbor Superfund
6 Site. EPA won't be speaking or responding to
7 questions of any kind about the proposed cleanup
8 plan during this hearing.

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10 July 20th, at the Ambridge Center in Portland,
11 Oregon. Public notice of this hearing was
12 published in the Oregonian Newspaper on
13 Wednesday, June 8, 2016. The public comment
14 period began on June 9th and it runs through
15 midnight, September 6, 2016.

16 Before we take your comment, I would
17 like to describe the process and procedures
18 we're following so you know how your comments
19 will be handled.

20 Jason, do you want to take the
21 registration cards?

22 And then if you have cell phones, make
23 sure they won't make any noise during these
24 comments.

25 This is our court reporter, Heather

1 Guevarra. She's recording the proceeding.
2 She's writing down what I'm saying right now.
3 She's recording the proceedings for the hearing,
4 and it's important to make sure that you speak
5 clearly and slowly so we can capture your
6 comments for the official record. You'll have
7 two minutes to provide the comments and, to help
8 you keep to two minutes, we have this visual
9 timer that will run while your comments are
10 being made. Everyone is held to the same time
11 limit.

12 And so once I give you the signal and
13 you're ready to start your comment, just raise
14 your hand and I'll click the start button. But,
15 before that, you should say your name and spell
16 it so that Heather can get it into the record.

17 So which of you is going to comment
18 first?

19 So let's start with having you say your
20 name and spelling it.

21 **MR. (b) (6)** It's (b) (6)

22
23 **MS. ROBINSON:** And then when you're
24 ready to start, just raise your hand and go
25 ahead and start.

1 **MR. (b) (6)** Okay. I live pretty close to
2 the river and I fish, and I am concerned about
3 fish quality. I fish for -- what do they call
4 that -- androgynous fish, but I would like to be
5 able to fish resident fish and be able to eat
6 them. I don't think that's probably not a good
7 idea.

8 The responsible parties -- I think what
9 needs to be done is we need to clean the river
10 up so it's really clean. The wait and see is
11 not -- it just isn't right. So much of the
12 river is going to be a wait and see. What do
13 they call it, natural recovery monitoring is --
14 that's not satisfactory.

15 So I'd like to see a lot of more of it
16 cleaned up, and I also don't want to see it
17 stored on the -- the dredge spoils to be stored
18 on the river. That stuff needs to be hauled off
19 to some safe place, a landfill or something like
20 that. There's an earthquake coming and it's --
21 if we put it on the river, it will just go back
22 in the river, and we're going to want to live --
23 whoever survives the earthquake is going to want
24 to be able to live with a clean river.

25 So those are my main points. I have

1 other things to say but there's only 11, nine,
2 eight seconds left, so I'll leave it there.

3 MS. (b) (6) : My name is (b) (6)
4 same last name.

5 MS. ROBINSON: Just raise your hand when
6 you're ready for me to start the time.

7 MS. (b) (6) : I also live near the river.
8 I'm not as much a fisherman as (b) (6) but I'm
9 really concerned because a lot of other people
10 fish in the river. I see a lot of poor people
11 in Portland fishing in the river, and it should
12 be a place where people have a very safe place
13 to be able to eat from and recreate.

14 I am not at all convinced that this plan
15 is going to be adequate. The idea of waiting 30
16 years is way too long. I mean, we're in our
17 seventies and, I mean, the idea -- and there are
18 plenty of people in their fifties and sixties,
19 and 30 years is way too long.

20 I think that what we should be doing is
21 using what we call in other areas, like in
22 trades, cautionary principles and use much
23 higher levels of safety. The idea of just
24 taking some of the sediment out and capping them
25 is not enough. They just admitted tonight that

1 heavy metals are going to be in the river.
2 There's got to be a much better plan. This is
3 our one time. Once this happens, it's going to
4 be -- we're not going to have a chance to do
5 something better. The cautionary principle is
6 really important.

7 I feel that people might say, well,
8 where is your evidence that this is not enough.
9 I think that the onus is on the people saying
10 this plan is enough to show indisputably that it
11 is enough, and it's not. I feel like the
12 numbers, the amount of sediment that is taken
13 out, the amount of years it's going to take is
14 pulled out of a hat, and it's not adequately
15 grounded. I'm very concerned.

16 I think the big polluters should pay.
17 It's unfair that they don't pay. If they paid
18 more, if they put more money up front, we could
19 do a much better plan, and I think the EPA is
20 working backwards to see how much they can do
21 for the small amount.

22 (The proceedings concluded at 7:32 p.m.)

23

24

25

1 C E R T I F I C A T E

2 STATE OF OREGON)
) ss.

3 COUNTY OF MULTNOMAH)

4 I, Heather Guevarra, a Notary Public for
5 Oregon, do hereby certify that, pursuant to
6 stipulation of counsel for the respective
7 parties hereinbefore set forth the proceeding
8 occurred before me at the time and place set
9 forth in the caption hereof; that at said time
10 and place I reported in Stenotype all testimony
11 adduced and other oral proceedings had in the
12 foregoing matter; that thereafter my notes were
13 reduced to typewriting under my direction; and
14 that the foregoing transcript, pages 1 to 15,
15 both inclusive, constitutes a full, true and
16 accurate record of all such testimony adduced
17 and oral proceedings had, and of the whole
18 thereof.

19 Witness my hand and Notarial stamp at
20 Vancouver, Washington, this 29th day of July,
21 2016.

22

23

HEATHER GUEVARRA

24

Notary Public in and for the
State of Oregon, residing at
Vancouver, Washington

25

My Commission Expires 6/7/19

My Commission Expires 6/7/19